

**ZB# 06-05**

**Xiaoji Zhang**

**70-1-15.8**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*Granted 2-27-06*

06-05

XIAOJI. ZHANG (area) (70-1-1)  
14 TRUEN DRIVE

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 05-31-06**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 167.18 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-05**

**NAME & ADDRESS:**

**Xiaoj Zhang  
14 Truex Drive  
New Windsor, NY 12553**

*[Handwritten signature]*  
*5/31/06*

**THANK YOU,**

**MYRA**

**L.R. 5/31/06**



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **OFFICE OF THE ZONING BOARD OF APPEALS**

June 27, 2006

Xiaoj Zhang  
14 Truex Drive  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #06-05**

Dear Sir:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

**NEW WINDSOR ZONING BOARD OF APPEALS**

**SBL: 70-1-15.8**

**In the Matter of the Application of**

**MEMORANDUM OF  
DECISION GRANTING**

**ZHANG, XIAOJL**

**AREA**

**CASE #06-05**

**WHEREAS, XIAOJL ZHANG**, owner(s) of 14 TRUEX DRIVE, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 8 ft. Side Yard Setback for proposed attached garage at 14 Truex Drive in an R-4 Zone (70-1-15.8)

**WHEREAS**, a public hearing was held on February 27, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS**, the Applicant appeared on behalf of this Application; and

**WHEREAS**, there were no spectators appearing at the public hearing; and

**WHEREAS**, no one spoke in favor of or in opposition to the Application; and

**WHEREAS**, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS**, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a one Family Dwelling located in a neighborhood of one Family Dwellings in an R-4 Zone zone.
  - (b) The applicant seeks the variance to build an attached garage of approximately 14 ft. X 20 ft.
  - (c) In building the garage, the applicant will not be removing any trees or substantial vegetation.

- (d) In building the garage, the applicant will not create the ponding or collection of water or divert the flow of water drainage.
- (e) In building the garage, the applicant will not be on top of nor will it interfere with any easements including, but not limited to, water, sewer or electrical easements.
- (f) With the addition of the garage the house will be similar in size and nature to other houses in the neighborhood.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

**NOW, THEREFORE, BE IT**

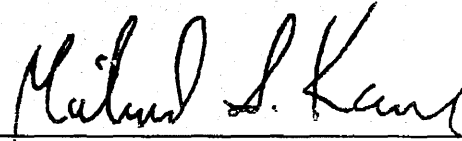
**RESOLVED,** that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 8 ft. Side Yard Setback for proposed attached garage at 14 Truex Drive in an

R-4 Zone (70-1-15.8) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: February 27, 2006

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: November 28, 2005

APPLICANT: Zhang, Xiaojl  
14 Truex Drive  
New Windsor, New York 12553

**COPY**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 11/17/05

FOR : Zhang, Xiaojl

LOCATED AT: 14 Truex Drive

ZONE: R-4      Sec/Blk/ Lot: 70-1-15.8

DESCRIPTION OF EXISTING SITE: SINGLE FAMILY WITH PROPOSED ATTACHED GARAGE

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-10 USE BULK TABLE R-4 ZONE LINE 6 COLUMN F REQUIRED SIDE YARD OF 20', PROPOSED SIDE YARD OF 12'. A VARIANCE OF 8' IS REQUIRED.

#12BA 1-23-06  
SET UP FOR P/H



*Louis J. Lynch*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-4     USE: 14x20 ATTACHED GARAGE

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

6-F     REQ'D SIDE YD:     20'

12'

8'

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

*12/1/05 Sent Applicant*

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floor and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Wall water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and permit fee.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

NOV 17 2005

FOR OFFICE USE ONLY:  
Building Permit #: PA2005-1232

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises XIAO JI ZHANG

Address 14 Truex Dr. New Windsor, NY 12553 Phone # 845-563-9911

Mailing Address \_\_\_\_\_ Fax # \_\_\_\_\_

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone # \_\_\_\_\_

Name of Contractor \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the BUXX DR side of TRUBKA CIRCLE  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of \_\_\_\_\_

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N NO

3. Tax Map Description: Section 70 Block 1 Lot 15.8

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy \_\_\_\_\_ b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? side lot

7. Dimensions of entire new construction. Front X Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms 5 Baths 3 Toilets 3 Heating Plant: Gas GI ☒  
Electric/Hot Air \_\_\_\_\_ Hot Water ☒ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \_\_\_\_\_ Fee \_\_\_\_\_

**PAID**  
CK # 279  
\$50  
**ZONING BOARD**

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4818  
(845) 563-4805 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

  
(Signature of Applicant)

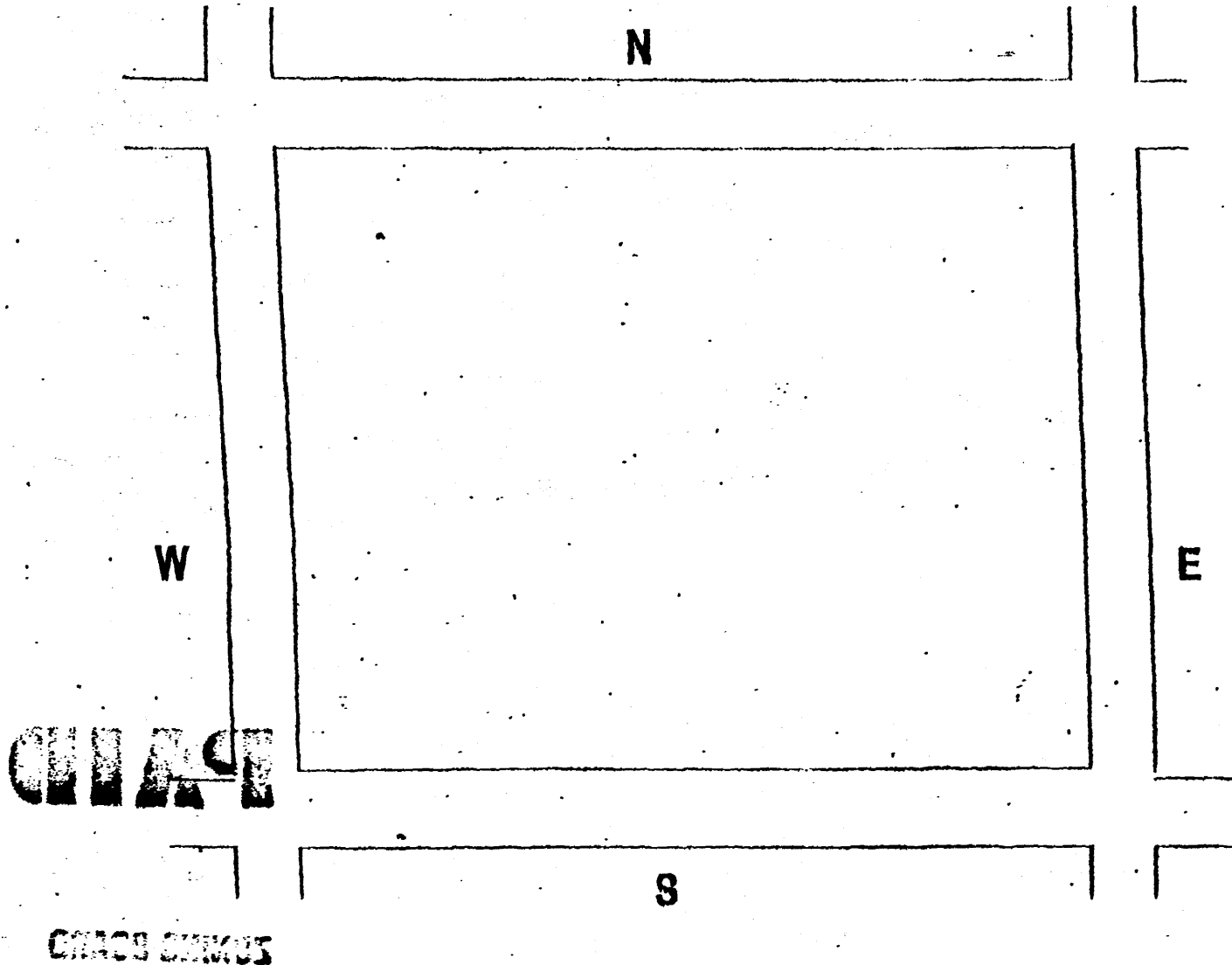
14 TRUEX DR. NEW WINDSOR  
(Address of Applicant)

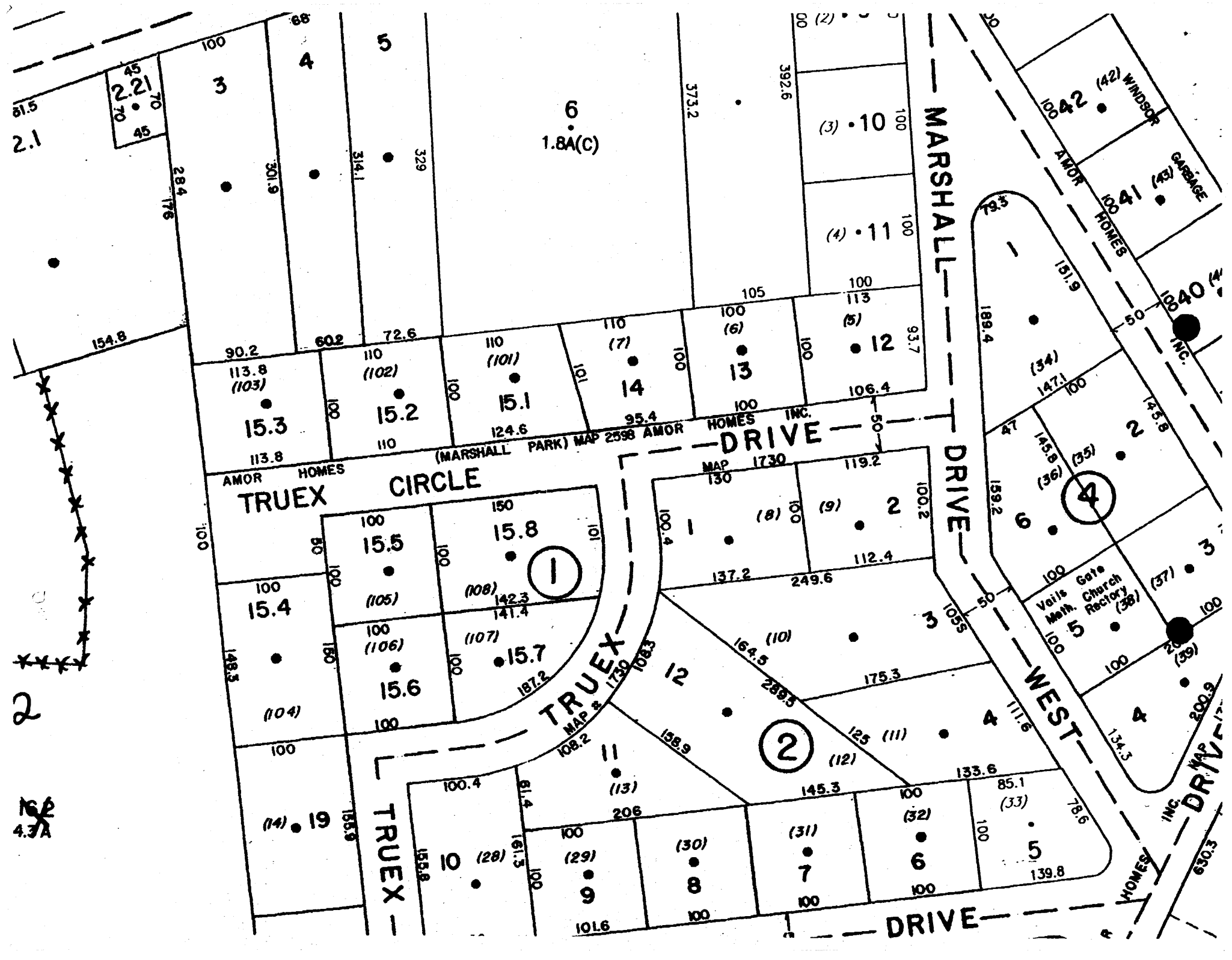
  
(Owner's Signature)

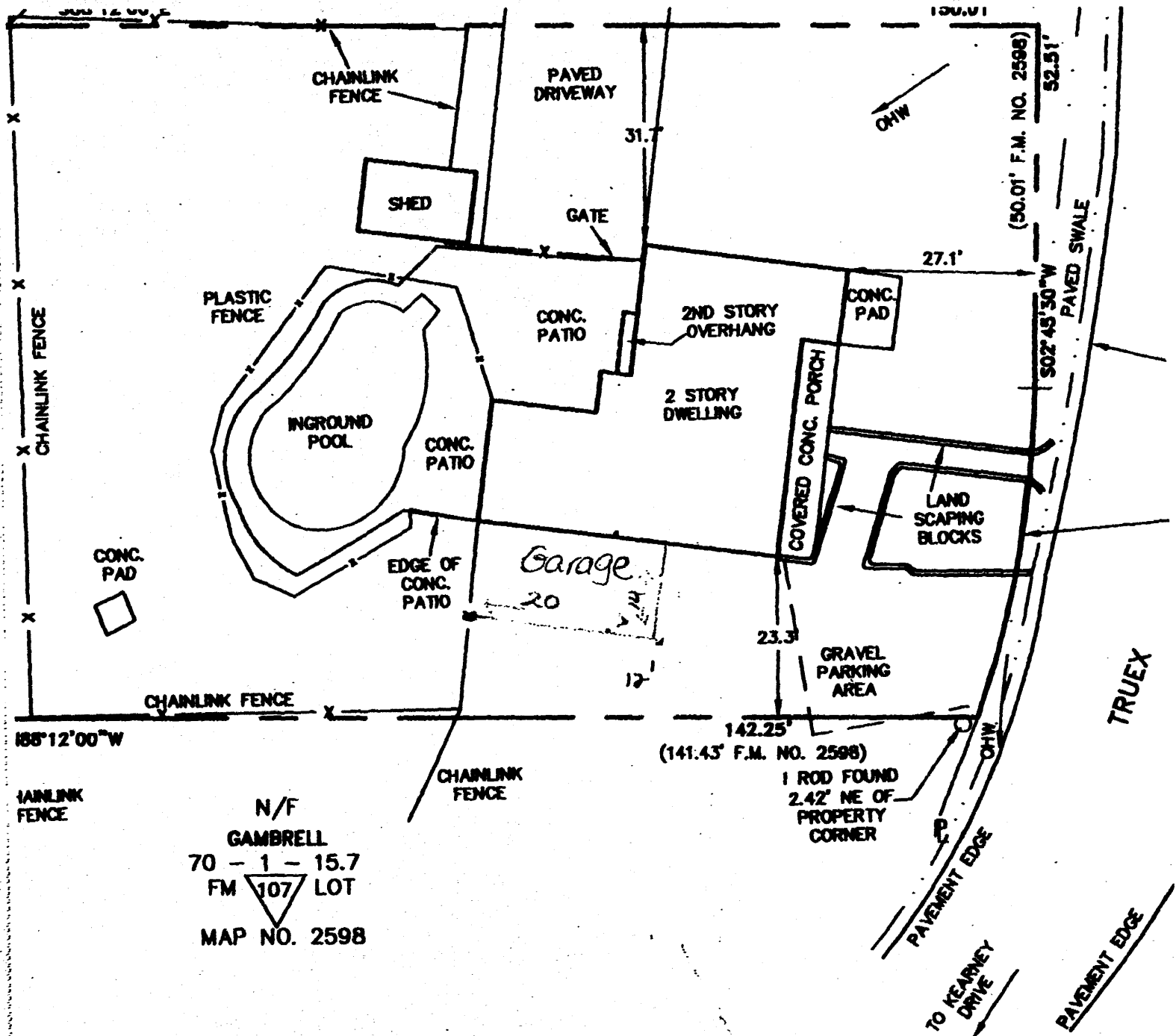
14 TRUEX DR. NEW WINDSOR

PLAT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





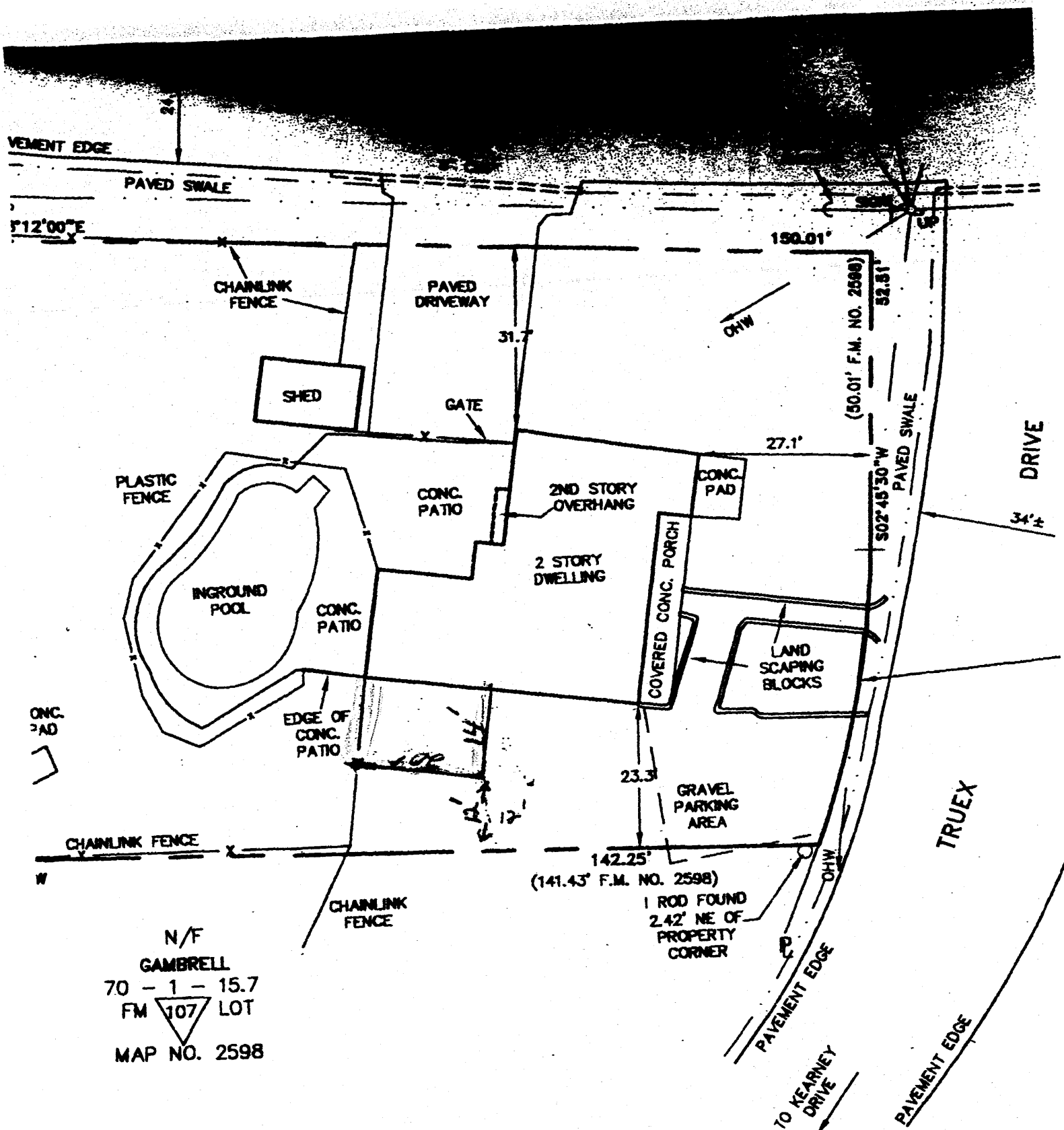


CERTIFICATION.



3 more of this page





## CERTIFICATION:

I HEREBY CERTIFY TO THE PARTIES OF INTEREST LISTED BELOW THAT THIS MAP SHOWS THE RESULTS OF AN ACTUAL FIELD SURVEY COMPLETED ON OCTOBER 18, 2005.

XIAOJL\_ZHANG\_(06-05)

---

MR. KANE: Request for 8 ft. side yard setback for proposed attached garage at 14 Truex Drive.

Mr. Xiaojl Zhang appeared before the board for this proposal.

MR. KANE: Tell us what you want to do, sir.

MR. ZHANG: My house I have no car garages and I want to have a car garage, one garage about a size 12 x 24 feet.

MR. KANE: It's a one car garage?

MR. ZHANG: Yes.

MR. KANE: Are there any other detached garages in your neighborhood?

MR. ZHANG: No, I don't know.

MR. TORPEY: This is connected to the house.

MR. KANE: It's connected, okay.

MR. BABCOCK: It's 14 x 20, Mr. Chairman, when this gentleman bought the house the people prior that owned it prior to him had renovated the existing garage into livable space so when this gentleman bought the house he bought it as is without a garage and now he'd like to have a garage to park his car in.

MR. KANE: Not an unreasonable request. We're right on development, we're all right on developmental coverage, Mike?

MR. BABCOCK: I actually didn't do this but I assume we are, Mr. Chairman, it's not on here.

MR. LUNDSTROM: Will there be a paved driveway up to the entrance to the garage?

MR. ZHANG: Yes.

MR. LUNDSTROM: Going to be gravel or what are you envisioning?

MR. ZHANG: Maybe cement.

MR. BABCOCK: There's a gravel parking area there in front of it now, he had started out he wanted to bring the garage to the front of the house towards Truex Drive but as you can see the farther ahead he came the closer to the property line he went. So to make the variance as small as possible, he slid the garage back to the back so he's going to have to build a driveway alongside the house to get to this garage.

MR. KANE: Which means he'll have more on his developmental coverage.

MR. BABCOCK: Well, it's gravel.

MR. KANE: If he goes cement or blacktop then it does right but gravel not.

MR. BABCOCK: Right.

MR. KANE: Cutting down any trees or substantial vegetation in the building of the garage?

MR. ZHANG: No.

MR. KANE: Creating any water hazards or runoffs?

MR. ZHANG: No.

MR. KANE: At this point we'll open it up to the

public, ask if there's anybody here for this particular hearing. There's not, we'll close the public hearing portion and ask Myra how many mailings.

MS. MASON: On February 8, I mailed out 54 envelopes and had no response.

MR. KANE: Any further questions? I'll accept a motion.

MR. LUNDSTROM: Problem is how do we pronounce the name? Mr. Chairman, I move that the request for, Mr. Zhang's request for an eight foot side yard variance setback for proposed attached garage at 14 Truex Drive in an R-4 zone, tax lot number 70-1-15.8 be approved.

MS. LOCEY: I'll second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MS. LOCEY	AYE
MR. KANE	AYE

Please return with payment  
**Invoice**



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

Date	Invoice #
2/28/2006	7405

<b>Bill To</b>
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553

P.O. No.	Terms	Project
43764	Due on receipt	

Issue Date	Description	PCS/Units	Amount
2/10/2006	LEGAL ADS: APPEAL NO. 06-03	6.72	6.72
	2 AFFIDAVITS	8.00	8.00
2/10/2006	LEGAL ADS: APPEAL NO. 05-72	3.16	3.16
	2 AFFIDAVITS	8.00	8.00
2/10/2006	LEGAL ADS: APPEAL NO. 06-05 ✓	6.32	6.32
	2 AFFIDAVITS	8.00	8.00
		<b>Total</b>	<b>\$40.20</b>

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)  
562-1218

State of New York

County of Orange, ss:

Lucas Ladlee being duly

sworn disposes and says that he is The  
Supervisor of Legal Dept. of the E.W. Smith  
Publishing Company; Inc. Publisher of The  
Sentinel, a weekly newspaper published and  
of general circulation in the Town of New  
Windsor, Town of Newburgh and City of  
Newburgh and that the notice of which the  
annexed is a true copy was published 1x

in said newspaper, commencing on  
the 10 day of Feb. A.D., 2006

and ending on the 10 day of Feb.  
A.D. 2006

*Lucas W. Ladlee*

Subscribed and shown to before me

this 8<sup>th</sup> day of Nov., 2006.

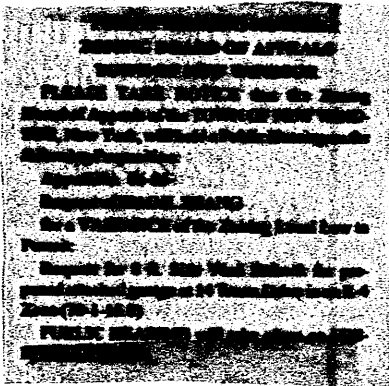
*Deborah Green*

Notary Public of the State of New York

County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4894090  
Commission Expires July 15, 2007

My commission expires 7-15-07





February 27, 2006

**ZBA #** 06-05

06-05

## PROXY

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_N\_\_\_\_

**PUBLIC HEARING: M)**\_\_\_\_\_ **S)**\_\_\_\_\_ **VOTE: A**\_\_\_\_ **N**\_\_\_\_\_

GANN  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

GANN  
LOCEY  
TORPEY  
KANE

CARRIED: Y N

**APPROVED: M)\_\_\_\_\_S)\_\_\_\_\_ VOTE: A\_\_\_\_\_N\_\_\_\_\_**

GANN  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_

GANN  
LOCEY  
TORPE  
KANE

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES** ✓

**VARIANCE APPROVED:** M) Lu S)      VOTE: A 5 N 0.

**GANN  
LOCEY  
TORPEY  
KANE**

A Gann  
A Lundstrom  
A Torpey  
A Locoy  
A Kane

**CARRIED: Y ✓ N     .**

[illegible]

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

In the Matter of the Application for Variance of

XIAOJ ZHANG

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#06-05

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 8TH day of **FEBRUARY**, 2006, I compared the 54 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

8<sup>th</sup> day of February, 2006

J. P. Gallagher  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

January 24, 2006

Xiaoj Zhang  
14 Truex Drive  
New Windsor, NY 12553

Re: 70-1-15.8 ZBA#: 06-05 (54)

Dear Mr. Zhang:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

70-1-1.1

Constantine Leonardo  
7 Dogwood Hills Road  
Newburgh, NY 12550

70-1-2.21

4 Acres, LLC  
104 S. Central Avenue  
Valley Stream, NY 11580

70-1-5

Mans Brothers Realty, Inc.  
871 Blooming Grove Tpke  
New Windsor, NY 12553

70-1-10

Vanessa, Ena & Valencia Edwards  
90 Vails Gate Heights Drive  
New Windsor, NY 12553

70-1-13

Kevin & Eileen Seckerson  
4 Truex Drive  
New Windsor, NY 12553

70-1-15.2

John & Detra Denton  
10 Truex Circle  
New Windsor, NY 12553

70-1-15.5

Salvatore & Carolina Tosco  
7 Truex Circle  
New Windsor, NY 12553

70-1-17.1

Carolyn & Robert Jaczko  
P.O. Box 231  
Vails Gate, NY 12584

70-1-21

Deborah & Kevin Leto  
24 Truex Drive  
New Windsor, NY 12553

70-2-2

Edward & Chanelle Manion  
26 Marshall Drive  
New Windsor, NY 12553

70-1-1.2

Samuel Leonardo  
7 Dogwood Hills Road  
Newburgh, NY 12550

70-1-3

Mans Brothers Realty, Inc.  
P.O. Box 247  
Vails Gate, NY 12584

70-1-6 & 7

Goetze Properties, LLC  
ATT: Donna Kuschatka  
2084 Boston Post Road  
Larchmont, NY 10538

70-1-11

Benjamin & Bella Harris  
P.O. Box 780  
Cornwall, NY 12518

70-1-14

Christopher & Deborah Smith  
6 Truex Drive  
New Windsor, NY 12553

70-1-15.3

Bettina Youngberg  
Richard D'Aloia  
12 Truex Circle  
New Windsor, NY 12553

70-1-15.6

Minh Nguyen  
Tracy Le  
18 Truex Drive  
New Windsor, NY 12553

70-1-19

Sean Chadwick  
20 Truex Drive  
New Windsor, NY 12553

70-1-22

Norman & Mary Ellen Grinder  
26 Truex Drive  
New Windsor, NY 12553

70-2-3

Thomas & Ada Halvorsen  
28 Marshall Drive  
New Windsor, NY 12553

70-1-2.1

House of Apache Properties, LTD  
c/o Herbert Slepoy  
104 S. Central Avenue  
Valley Stream, NY 11580

70-1-4

Gregory Greer  
P.O. Box 212  
Shields Road  
Cornwall, NY 12518

70-1-9

Nancy Driscoll  
18 Marshall Drive  
New Windsor, NY 12553

70-1-12

Brian Abrams  
P.O. Box 462  
Vails Gate, NY 12584

70-1-15.1

Edward & JoAnn Lekis  
P.O. Box 204  
Vails Gate, NY 12584

70-1-15.4

Hasan Hamdan  
9 Truex Circle  
New Windsor, NY 12553

70-1-15.7

Kim Marie Roach Gambrell  
16 Truex Drive  
New Windsor, NY 12553

70-1-20

Thomas & Dorothy Barton  
22 Truex Drive  
New Windsor, NY 12553

70-2-1

Clarence & Zenobia Reed  
3 Truex Drive  
New Windsor, NY 12553

70-2-4

Elise Bates Carlson  
P.O. Box 462  
Vails Gate, NY 12584

70-2-5  
Stephen Charles  
Karenya Aiken  
2 Kearney Drive  
New Windsor, NY 12553

70-2-8  
Henry & Claudia Munoz  
8 Kearney Drive  
New Windsor, NY 12553

70-2-11  
Fred Saintmire  
13 Truex Drive  
New Windsor, NY 12553

70-3-2  
Eduardo Torres  
7 Kearney Drive  
New Windsor, NY 12553

70-3-5  
Gregg & Hillary Wright  
1 Kearney Drive  
New Windsor, NY 12553

70-3-8  
Pedro & Mildred Pagan  
6 Haight Drive  
New Windsor, NY 12553

70-4-1  
Denise Bedell  
P.O. Box 535  
Vails Gate, NY 12584

70-4-4  
Zeng Fu Lu  
Ginny Cheung  
8 Marshall Drive  
New Windsor, NY 12553

70-2-6  
Edgardo Guerrero  
Fernando & Gina Guerrero  
4 Kearney Drive  
New Windsor, NY 12553

70-2-9  
John Hess  
10 Kearney Drive  
New Windsor, NY 12553

70-2-12  
Timothy Strobel  
11 Truex Drive  
New Windsor, NY 12553

70-3-3  
Jose & Elpina Molina  
5 Kearney Drive  
New Windsor, NY 12553

70-3-6  
John & Norene Helm  
36 Marshall Drive  
New Windsor, NY 12553

70-3-9  
Charles & Sharon Kall  
8 Haight Drive  
New Windsor, NY 12553

70-4-2  
John & Shirley Bonsell  
4 Marshall Drive  
New Windsor, NY 12553

70-4-5  
Vails Gate Methodist Church, Inc.  
ATT: Treasurer  
P.O. Box 37  
Vails Gate, NY 12584

70-2-7  
Roseann Coakley  
6 Kearney Drive  
New Windsor, NY 12553

70-2-10  
Virginia Russell  
15 Truex Drive  
New Windsor, NY 12553

70-3-1  
Eric & Shirley Acevedo  
9 Kearney Drive  
New Windsor, NY 12553

70-3-4  
Maria Estrada  
83-40 Britton Ave. Apt 3L  
Elmhurst, NY 11373

70-3-7  
Andrew & Janet Cos  
4 Haight Drive  
New Windsor, NY 12553

70-3-10  
Robert & Maxine Moody  
P.O. Box 224  
Vails Gate, NY 12584

70-4-3  
Vivian Ocasio  
6 Marshall Drive  
New Windsor, NY 12553

70-4-6  
David & Marie Worden  
P.O. Box 134  
Vails Gate, NY 12584

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

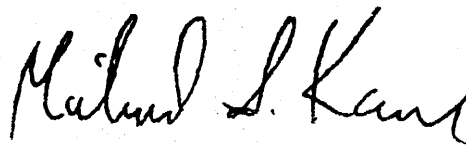
**Appeal No. 06-05**

**Request of XIAOJL ZHANG**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 8 ft. Side Yard Setback for proposed attached garage at 14 Truex Drive in an R-4 Zone (70-1-15.8)**

**PUBLIC HEARING will take place on FEBRUARY 27, 2006**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

A handwritten signature in black ink, appearing to read "Michael S. Kane", written over a horizontal line.

**Michael Kane, Chairman**

January 23, 2006

3

PRELIMINARY MEETINGS:

XIAOJL\_ZHANG\_(06-05)

MS. GANN: Request for 8 ft. side yard setback for proposed attached garage at 14 Truex Drive.

Mr. Xiaojl Zhang appeared before the board for this proposal.

MS. GANN: Please state your name and your address and tell us why you're here this evening loud enough for the young lady over here to hear you.

MR. ZHANG: My name is Xiaojl Zhang, I live at 14 Truex Road.

MS. GANN: Can you tell us why you're here this evening?

MR. ZHANG: I want to put a garage attached to my house.

MS. GANN: And this is not an existing garage, it's a new attached garage?

MR. ZHANG: Yes, I don't have enough parking over there so I need a garage and in the summertime this happened to me before I have a car before in the summertime the dogs come and destroy my car, this is why I need a garage and I just bought a new car, we have no space for--

MR. TORPEY: They do what?

MR. ZHANG: When I'm not home the dogs scratch my car.

MS. GANN: So you're doing it for protection as well as just keeping your car?

January 23, 2006

4

MR. ZHANG: I bring the car to the body shop, what they told me there's a scratch on the car.

MR. KRIEGER: How big will the garage be?

MR. ZHANG: It will be about 12 x 20.

MR. BABCOCK: 14 x 20.

MR. KRIEGER: Two cars?

MR. BABCOCK: One car.

MS. GANN: Can you show me where the location would be?

MR. ZHANG: This will be the front side, this will be the front and the side would be over here and I did the survey map where the garage might be.

MS. GANN: Mike, what else do I need?

MR. BABCOCK: It's actually 12 foot off the property line, it's supposed to be 20 cause it's attached to the house so he needs a variance of 8. Before this gentleman bought the house the prior people had converted the garage to living space so there's no garage at this residence at this time, that's why he's saying he needs to have a garage for his car, the dogs and animals are climbing on it scratching it.

MR. KRIEGER: Why can't the garage be built within the zoning requirements, within what the law said the setbacks are and so forth?

MR. BABCOCK: He would be allowed a garage of three foot wide by zoning which is not wide enough for a car.

MR. KRIEGER: Not an actual people car.

MR. BABCOCK: Yes.

January 23, 2006

5

MR. KRIEGER: Matchbox probably.

MS. GANN: Will this be going over any easements that you know of?

MR. KRIEGER: Do you know what an easement is?

MR. ZHANG: No.

MR. KRIEGER: An easement is legal permission for someone else to use your property, like, for instance, the electric company sometimes gets easements to put power lines across somebody else's property, they don't want to own the property, they just want to put the power lines there. The Town would get easements for water, sewer, drainage and again, it's just permission to use your property. So do you know of anybody having permission to use your property?

MR. ZHANG: No.

MR. KRIEGER: How is your, what's your water and sewer supplier? Are you on water and sewer or well and septic or how do you get your water?

MR. BABCOCK: He has Town water and Town sewer, if you'd like him to answer these questions, I'm not sure he understands them fully so I'll try to help him.

MR. KRIEGER: That's okay, saves time.

MR. BABCOCK: I have a copy of the survey in his file and there does not appear to be any easements in this area.

MR. KRIEGER: And you won't be removing any substantial vegetation?

MS. LOCEY: Are there a lot of trees that you will need

January 23, 2006

6

to cut down?

MR. ZHANG: No.

MR. BABCOCK: Yeah, there's no vegetation there whatsoever, maybe grass.

MR. KRIEGER: And won't create any water hazards of any kind?

MR. ZHANG: Water?

MR. KRIEGER: It won't change the way the water flows?

MR. ZHANG: No.

MS. GANN: Okay.

MS. LOCEY: Do other houses in your neighborhood have garages similar to the one you want to construct, do your neighbors have garages?

MR. ZHANG: They all have a garage.

MS. GANN: About the same size as the one you want to build?

MR. ZHANG: I only need one garage because I don't have enough room for two, so I wanted at least one to put my car in.

MS. GANN: Okay.

MS. GANN: You'd have to come back after this, after this public hearing for, I'm sorry, after this preliminary hearing for a public hearing, you have to show up for that as well because what we're going to do is send around mailers to everyone in your neighborhood to see if they have a problem with what you're doing. Okay?



January 23, 2006

7

MR. BABCOCK: I have an instruction sheet for this gentleman.

MR. KRIEGER: Do you have the instruction sheet? Okay.

MR. BABCOCK: Just once they're done here, give them another minute, once they're done, you read this and it will tell you, if you have any questions, just call Myra.

MR. ZHANG: Okay.

MS. GANN: I'll accept a motion.

MS. LOCEY: I'll offer a motion to schedule a public hearing on the application of Xiaojl Zhang and his request for an eight foot side yard setback for a proposed attached garage at 14 Truex Drive in an R-4 zone.

MR. TORPEY: Second the motion.

ROLL CALL

MS. LOCEY	AYE
MS. GANN	AYE
MR. TORPEY	AYE

*ZBA-application Fee 06-05*

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT  
#63-2006**

01/23/2006

Xiao, Ji Zhang  
78 Vails Gate Hgts. Dr.- Unit 2712  
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 01/23/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 01-17-06

FOR: ESCROW 06-05

FROM:

CHECK FROM:

**Xiaoj Zhang**  
**14 Truex Drive**  
**New Windsor, NY 12553**


**SAME**

CHECK NUMBER: 295

TELEPHONE: 561-6186

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME                      DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



RESULTS OF Z.B.A. MEETING OF: January 2, 2006

PROJECT: Xiaoji Zhang ZBA # 06-05  
P.B.#

**P.B.#** \_\_\_\_\_

**USE VARIANCE:      NEED: EAF \_\_\_\_\_ PROXY \_\_\_\_\_**

**LEAD AGENCY:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
 LOCEY \_\_\_\_\_  
 TORPEY \_\_\_\_\_  
 KANE \_\_\_\_\_

CARRIED: Y N \_\_\_\_\_

**PUBLIC HEARING:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
 GANN \_\_\_\_\_  
 LOCEY \_\_\_\_\_  
 TORPEY \_\_\_\_\_  
 KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN \_\_\_\_\_  
LOCEY \_\_\_\_\_  
TORPEY \_\_\_\_\_  
KANE \_\_\_\_\_

CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

APPROVED: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_  
 GANN \_\_\_\_\_  
 LOCEY \_\_\_\_\_  
 TORPEY \_\_\_\_\_  
 KANE \_\_\_\_\_ CARRIED: Y \_\_\_\_\_ N \_\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M) 4 S) 7 VOTE: A 3 N    

GANN  
LOCEY  
TORPEY  
~~EGANE~~

CARRIED: Y ✓ N       

**PUBLIC HEARING:**      **STATEMENT OF MAILING READ INTO MINUTES** \_\_\_\_\_  
**VARIANCE APPROVED:**      M)\_\_\_\_ S)\_\_\_\_ VOTE: A\_\_ N\_\_.

**GANN** \_\_\_\_\_  
**LOCEY** \_\_\_\_\_  
**TORPEY** \_\_\_\_\_  
**KANE** \_\_\_\_\_

**CARRIED:** Y\_\_\_ N~~\_\_\_~~



# **Town of New Windsor**

**555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4689**

## **ZONING BOARD OF APPEALS**

January 19, 2006

Xiaoj Zhang  
14 Truex Drive  
New Windsor, NY 12553

**SUBJECT: REQUEST FOR VARIANCE #06-05**

Dear Mr. Zhang:

This letter is to inform you that you have been placed on the January 23<sup>rd</sup>, 2006 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

14 Truex Drive  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

# TOWN OF NEW WINDSOR

## REQUEST FOR NOTIFICATION LIST

DATE: 01-19-2006 PROJECT NUMBER: ZBA# 06-05 P.B. # \_\_\_\_\_

APPLICANT NAME: ZIAOJ ZHANG

PERSON TO NOTIFY TO PICK UP LIST:

XiaoJ Zhang  
14 Truex Drive  
New Windsor, NY 12553

TELEPHONE: 561-6186

TAX MAP NUMBER:	SEC. <u>70</u>	B LOCK <u>1</u>	LOT <u>15.8</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 14 TRUEX DRIVE  
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) \_\_\_\_\_

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) \_\_\_\_\_

AGRICULTURAL DISTRICT:  
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
 OF SITE PLAN OR SUBDIVISION PROJECT) \_\_\_\_\_

❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 294

TOTAL CHARGES: \_\_\_\_\_



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

1/1/11/06  
Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

BE Fang zheng / XIAOJI zhang      Phone Number: (845) 566-6186  
(Name)      Fax Number: ( )  
14 Truex Dr. New Windsor, NY. 12553  
(Address)

**II. Applicant:**

XIAOJI zhang      Phone Number: (917) 518-6807  
(Name)      Fax Number: ( )  
14 Truex Dr. New Windsor, NY. 12553  
(Address)

**III. Forwarding Address, if any, for return of escrow:**

Phone Number: ( )  
Fax Number: ( )  
(Name)  
(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number ( )  
Fax Number: ( )  
(Name)  
(Address)

**V. Property Information:**

Zone: R-4 Property Address in Question: 14X20 ATTACHED GARAGE  
Lot Size:            Tax Map Number: Section 70 Block 1 Lot 15.8  
a. What other zones lie within 500 feet?             
b. Is pending sale or lease subject to ZBA approval of this Application?             
c. When was property purchased by present owner? Sep. 24 2004  
d. Has property been subdivided previously? NO If so, When:             
e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? NO  
f. Is there any outside storage at the property now or is any proposed? yes, shed

**\*\*\*\*PLEASE NOTE:\*\*\*\***

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

COMPLETE THIS PAGE ☐



**TOWN OF NEW WINDSOR**  
555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



**ZONING BOARD PROCEDURES**

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$ 50.00  
\*ESCROW: \$300.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

\*

**ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME



## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.	20"	12"	8"
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I try to Build garage. After I  
read the above paragraph. I Believe My Work will not  
effect the health, safety welfare of the neighborhood or  
community, and it won't effect or impact on the physical or  
environmental conditions in the neighborhood or district. I will  
looking professional Engineer to handle all the work and sure  
it substantial.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

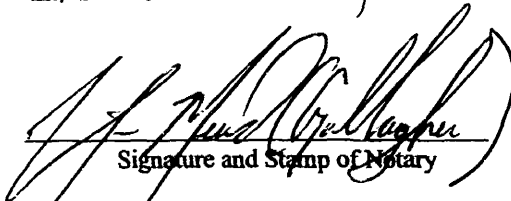
) SS.:

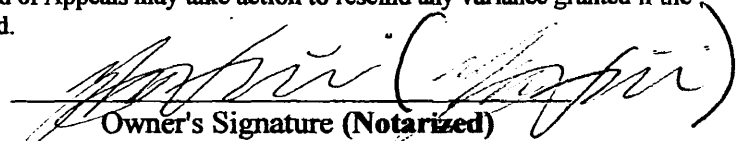
COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

12<sup>th</sup> day of January 2006.

  
Signature and Stamp of Notary

  
Owner's Signature (Notarized)

XIAOTI Zhang  
Owner's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006

COMPLETE THIS PAGE ☐